761551N25A - SH-AD-32A

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: November 4, 2011
FILE NO:

OFFICE CORRESPONDENCE

FROM: JOSEPH S. HARTSHORNE, COMMANDER
OFFICE OF THE UNDERSHERIFF

TO: JOSEPH B. NUNEZ, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS:

Case Number:	SH2283530
Incident:	Non-Hit Shooting
Incident Date:	March 1, 2011
Unit:	East Los Angeles Station / FOR1
Suspect:	Tommy Salas MH/24
Involved Employees:	Deputy Angel Rodriguez #[redacted]
EFRC Date:	October 13, 2011

On October 13, 2011, the Executive Force Review Committee consisting of Commander Joseph Hartshorne, Commander Daryl Evans, and Commander Thomas Martin met and reviewed the above case. The applicable policies that were evaluated were: MPP 3-01/025.00, Use of Force; 3-01/025.30, Use of Firearms and Deadly Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards.

FINDINGS:

The Committee determined that the force used by Deputy Angel Rodriguez was reasonable, necessary, and in compliance with Department Policy. The Committee also determined that the tactics used by Deputy Rodriguez were sound and reasonable.

RECOMMENDATIONS:

The Committee recommended that the unit commander brief the tactical issues of this incident with all unit personnel.

SH2283530

Table of Contents

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
05/20/11	Major Crimes Bureau	☐	☐

Incident Information

URN: 911-00264-3499-048	Date: 03/01/11 Time: 1250
City or Station: Major Crimes Bureau	Nature of Incident: See summary
Location: Citrus Ave at Valley Blvd, Fontana	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, Street (circled), Other: ________

Lighting (*circle only one*): Darkness, Daylight (circled), Other, Street Lights

Weather (*circle only one*): Clear (circled), Cloudy, Fog, Rain

Distance: Approximately 20 feet

Incident Type (*circle one or more*): Accidental, Armed Person, Fleeing Suspect (circled), Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop (circled), Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: Sus. committing a 245PC

Initiated by (*circle only one*): Arrest Warrant, Call, Observation (circled), One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other (circled), Routine Patrol

Aero Unit? ☐ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
One	none

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	[redacted]	[redacted]	[redacted]	EM PM Day (circled)	Regular (circled) Overtime Off Duty
[redacted]	[redacted]	[redacted]	[redacted]	EM PM Day (circled)	Regular (circled) Overtime Off Duty
[redacted]	Ponce	Kim	A	EM PM Day (circled)	Regular (circled) Overtime Off Duty

Non-Employee Witnesses

Last Name	Street Address	City	Zip Code	First Name	M.I.	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]	
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]			[redacted]

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
[redacted]	Wegener	Kent	A	On Duty (circled), Present during shooting (circled), Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Wegener	Kent	A

PSTD Use Only
SH # ________

SH-R-438A rev. 3/07

See Reverse

Officer Involved Shooting

URN: 911-00264-3499-048

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
03/01/11	1505	05/20/11	

Employee #	Last Name	First Name	M.I
[redacted]	Bly	David	L
[redacted]	Bracken	Sonja	M
[redacted]	[redacted]	[redacted]	T

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
E-1	S-1	FH	ZZ	45	Y	Y	NN	

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 911-00264-3499-048

Involved Employee

E 1

Employee # [redacted]	Last Name Rodriguez	First Name Angel	M.I. A
Sex: M Race: H	Rank Deputy Sheriff	Unit Assignment: East Los Angeles Station	Work Assignment (Unit #, Module, etc.): Loan to MCB
ShiftTime (*circle only one*): EM PM (Day)	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: 600 Weight: 250			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☒ Number of Prior Shootings: 1 Directed Force: [redacted]
Weapons Fired Brand: Sig-sauer Caliber 45 # Shots 1		Weapons Fired Brand: Caliber # Shots	
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand: Caliber # Shots		Weapons Fired Brand: Caliber # Shots	
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand: Caliber # Shots		Weapons Fired Brand: Caliber # Shots	
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

URN: 911-00264-3499-048

Suspect Information

S 1

Last Name: Salas	First Name: Tommy	M.I.
AKA Last Name: "Droopy"	First Name	M.I.

Sex: M Race: H	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 24 D.O.B. 04/09/86	Height: 509 Weight: 140	FBI #: [redacted]	CII #: [redacted]
Booking # 2659134	Primary Charge: 215 PC	Secondary Charge: 245(a)(1) PC, Parole Violation	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: Dodge Avenger		Model: 4-door	Year: 2008

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Wegener	Kent	A	MCB		562-946-7151	
Forcier	Kevin	J	MCB		562-946-7151	
Nuques	Carlos	J	MCB		562-946-7151	

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED NON-HIT SHOOTING
IAB CASE NUMBER SH2283530
URN 911-00264-3499-048

Sergeants David Bly and Sonja Bracken of Internal Affairs Bureau responded with Lieutenant [redacted] to 9615 Date Street in the City of Fontana to investigate a deputy-involved, non-hit shooting. Investigators learned the following:

On March 1, 2011, at approximately 1258 hours, Deputy Rodriguez fired his weapon once in the defense of a kidnaping and assault victim, when he believed the suspect was going to either execute or cause the victim great bodily injury.

Major Crimes Detectives, Surveillance Team-1, received a request from Homicide Bureau to assist them in locating Suspect Tommy Salas who was possibly involved in a murder that occurred on February 28, 2011, in the City of Norwalk. Major Crimes Detectives received information that Suspect Salas was possibly at [redacted] in the City of [redacted] Detectives also knew that the firearm used in the murder was still outstanding.

A few minutes prior to the shooting, they saw a male, matching the suspect's description, leave the Date Street location with an unknown female (the suspect's [redacted] and [redacted]. Both the suspect and the female entered a white Dodge Avenger. Ms. [redacted] was the driver and the suspect was the front passenger.

Detectives advised assisting units that Suspect Salas and Ms. [redacted] were driving away from the location. As the vehicle traveled southbound on Citrus Avenue from San Bernardino Avenue, detectives were able to confirm the passenger's identity as Suspect Salas.

Deputies Angel Rodriguez (driver) and [redacted] (passenger) were in a marked black and white patrol car and were requested to conduct a felony traffic stop on the vehicle. The suspect's vehicle yielded on southbound Citrus Avenue south of Valley Boulevard. Detectives [redacted], Nuques, Ponce and Forcier along with Lieutenant Wegener assisted with the felony traffic stop.

It appeared that Ms. [redacted] was complying with deputies orders while the suspect began to struggle with her. Deputy Rodriguez gave the occupants of the vehicle commands and saw the suspect climbing into the driver's seat while simultaneously holding his right hand up to the female's head. Deputy Rodriguez saw an object in the suspect's right hand. He believed the object was a firearm, but he did not feel he could use deadly force at that time because the female and suspect were too close to one another. The driver side door suddenly opened and the suspect began pushing the female out of the car. The female's body was half way hanging out of the vehicle. During this time the vehicle began lurching forward and it appeared to Deputy Rodriguez the female was going to be either shot or dragged, so Deputy Rodriguez fired one round from his weapon. The round went through

the rear window of the vehicle, shattering it and lodged some where inside the vehicle. The suspect gained control of the vehicle and drove away. The female was dragged for several feet before becoming disentangled from the vehicle.

The patrol vehicle, along with other detective units, went in pursuit of the suspect while Lieutenant Wegener assisted the female at the scene. Deputies immediately advised SCC via the emergency access channel that they were in pursuit. The suspect vehicle entered the eastbound 10 freeway at Citrus Avenue and exited the next off ramp (Sierra Avenue). The vehicle traveled northbound. Deputies lost sight of the suspect at Sierra Avenue and Valley Boulevard because of heavy traffic and the suspect's high rate of speed.

The suspect turned westbound on San Bernardino Avenue and attempted to turn northbound on Madrona Drive when he collided with a fire hydrant and a chain linked fence on the north/west corner of San Bernardino Avenue and Madrona Drive.

The suspect exited the vehicle and ran northbound on Madrona Drive to eastbound Manzanita Avenue and was being chased by area residents. It appeared that the suspect was attempting to return to the [redacted] residence which was one block away.

Believing the suspect had turned northbound on Date Street instead of Madrona Drive, which is one block to the west, Detective [redacted] drove northbound on Date Street and intercepted the suspect who was now running directly towards him. The suspect ran into the front yard of [redacted] and was contacted by two Fontana police officers who had arrived at the same time. The suspect was taken into custody by the Fontana officers.

The suspect sustained a small laceration to his forehead area and a fractured left pinky finger as a result of the traffic collision. He was treated and transported back to Los Angeles County for booking.

No weapons were found in the vehicle or in the suspect's possession. One live bullet was recovered from the vehicle by LASD Homicide detectives and held as evidence as it could be evidence in their murder investigation.

IAB Note: IAB Lieutenant [redacted] checked to see that the Team Lieutenant, Lieutenant Wegener, took reasonable steps to ensure that the involved and witness personnel did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators, and that the involved and witness personnel did not collectively consult with their attorney or representative. In addition, IAB Lieutenant [redacted] checked to see if Lieutenant Wegener ensured involved and witness personnel gathered in the company of a supervisor until they provided a statement to the assigned investigators.

IAB Note: The summary of this incident is based on physical evidence collected at the scene by Los Angeles County Sheriff's Department Crime Lab personnel, IAB investigators observations, as well as information obtained from the original crime report and supplemental reports along with interviews of the involved employees and witnesses. *(Refer to Exhibits A through G)*

INVOLVED PERSONNEL

RODRIGUEZ, Angel, Deputy Sheriff, #[redacted]
Field Operations Region I
East Los Angeles Station (on loan to Detective Division, Major Crimes)

Work History

Date of Employment	03/11/1987
Date Assigned to Patrol	[redacted]
Date Completed Patrol Training	
Prior Shooting Incidents	10/27/1999 (Armed Suspect)

SUSPECT

Salas, Tommy, MH/24, DOB: 04/09/1986, Booking # 2659134

Suspect Salas' Consolidated Criminal History Report (CCHRS) showed [redacted]

IAB Note: See Exhibit "A" pages 30-38 for further information.

SWORN WITNESSES

[redacted] Deputy, #[redacted]
Major Crimes Bureau

[redacted] Deputy #[redacted]
Major Crimes Bureau

PONCE, Kim, Deputy #[redacted]
Major Crimes Bureau

WEGENER, Kent, Lieutenant #[redacted]
Majors Crimes Bureau

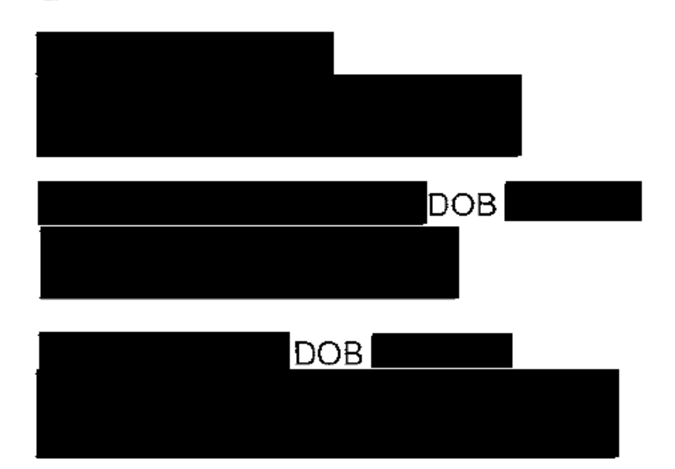
FORCIER, Kevin, Deputy #[redacted]
Major Crimes Bureau

NUQUES, Carlos, Deputy #[redacted]
Major Crimes Bureau

[redacted] Fontana Police Officer, #[redacted]
Fontana Police Department, Patrol unit 1P33.
17005 Upland Avenue, Fontana
(909) 350-7740

[redacted] Fontana Police Officer, #[redacted]
Fontana Police Department, Patrol unit 1P34.
17005 Upland Avenue, Fontana
(909) 350-7740

CIVILIAN WITNESSES



[redacted]

[redacted] DOB [redacted]

[redacted] DOB [redacted]

SUSPECT INJURIES

No injuries as a result of the shooting. However, the suspect sustained a fracture to his left pinky finger and a contusion above his right eye as a result of his traffic collision. He was treated at Presbyterian Intercommunity Hospital and received an "OK" to book.

DEPUTY INJURIES

None

OTHER INJURIES

[redacted] sustained abrasions to her right hand and right elbow. She was treated and released at the scene by paramedics.

PHYSICAL EVIDENCE

The following item of evidence was collected from the scene at Date Street and Manzanita Avenue in the City of Fontana.

Item 1	One .45 caliber shell casing recovered from Deputy Rodriguez' tactical vest.
	IAB Note: See Exhibit "A" Pages 1-7 for further information.

INVESTIGATORS OBSERVATIONS

IAB investigators observed the following locations; the shooting scene south of the intersection of Citrus Avenue and Valley Boulevard, the northwest corner of San Bernardino Road and Madrona Street where the suspect collided the victim's vehicle into a fire hydrant, and [redacted] where the suspect was taken into custody by Fontana Police Officers.

A review of SCC access dispatch radio recordings revealed the following:

IAB Note: The radio traffic recording is of poor quality because the units were out of the county and some of the transmissions are unreadable. Times are approximate.

1258 hours:	Deputy [redacted] advised 10-33, in pursuit of a 187 suspect eastbound 10 freeway approaching Sierra Avenue, notify Fontana PD and CHP. Also advised "998." Advised the suspect's vehicle description and license plate number. Could be heard saying, crossing Valley.
1259 hours:	Deputy [redacted] could be heard saying "last seen northbound Sierra" along with other unreadable radio traffic.
1300 hours:	Deputy [redacted] could be heard saying the rear window was shot out along with other unreadable radio traffic.
1301 hours:	Radio traffic could be heard that someone advised "[redacted]"
1302 hours:	Air unit requested an update on the pursuit location. Deputy [redacted] advised the suspect is 10-15 at [redacted] and he is the only Sheriff unit there with four Fontana Police units.

IAB Note: There is no radio traffic (that could be heard) stating to 10-22 the pursuit or that an unit had 10-22ed themselves.

IAB Note: See Exhibit "F" for a compact disk containing recordings of the radio traffic. Also on the CD is the radio frequency Star Tac-4 which is the frequency used by SAT Team-1 during their operation. There is no radio traffic concerning the shooting or pursuit on that frequency.

<u>WEAPONS USED BY DEPUTY PERSONNEL</u>

RODRIGUEZ, Angel, Deputy Sheriff

Service Weapon: Department authorized .45 caliber Sig Sauer model P220, semi-automatic pistol, serial number [redacted]

Ammunition: 45 caliber, one round fired with nine rounds left in the weapon.

Shell Casings: One expended shell casing was found on Deputy Rodriguez' tactical vest.

Date last qualified: [redacted]

<u>WEAPONS USED BY SUSPECT SALAS</u>

Hands and body on Ms. [redacted]

PROPERTY DAMAGE

Rear window of the victim's vehicle (2008 Dodge Avenger, CA [redacted] shattered as a result of one bullet strike. Additionally, the Suspect collided with a fire hydrant and chain link fence causing moderate damage to the vehicle, minor damage to the fence, and major damage to the fire hydrant.

IAB Note: See Exhibit "G" for CD containing photographs taken by IAB Sergeant David Bly and for printed pictures of the traffic accident scene and damage to the victim's vehicle. Also see Exhibit "B" pages 9-14 for Fontana Police Department traffic collision report under file #11-3702 for further information.

CRIMINAL INVESTIGATOR/CHARGES FILED

Investigator:	Detective [redacted] Major Crimes
Court:	Parole Hearing
Charges:	3056 P.C.
Court Date:	None. Suspect's parole was revoked and he was returned to state prison to finish his term.
Other:	The original homicide investigation is continuing.

LIGHTING AND WEATHER CONDITIONS

The incident occurred during day light hours. The weather was warm and clear.

INVOLVED EMPLOYEE STATEMENTS

RODRIGUEZ, Angel, Deputy Sheriff

Deputy Rodriguez was interviewed by IAB Sergeant David Bly on March 1, 2011 at approximately 1532 hours. The interview took place at [redacted] and was recorded for review. The following is a summary of that interview:

Deputy Rodriguez said he was working Major Crimes Bureau Surveillance Team-1 as an uniformed unit with his partner, Detective [redacted] He said they were both in a marked black and white patrol unit and they were in uniform (tactical green pants, long sleeved black shirt with patches, and tactical green vest with "Sheriff" patches). He said he was the driver and Detective [redacted] was the passenger. He said unmarked undercover units were watching a location in Fontana regarding a murder suspect and they were away from the location in case they were going to conduct a traffic stop on the suspect.

IAB Note: See Exhibit "G" for a photograph of Deputy Rodriguez.

Deputy Rodriguez said their team received information from Homicide Detectives Shannon Laren and Bill Cotter on a homicide suspect, Tommy Salas. He said, subsequently, he and his team received information the suspect was possible at [redacted] in the city of [redacted].

Deputy Rodriguez said his team had information the suspect vehicle involved in the murder was a white, four door Sedan possibly a Honda. He said he and his team conducted a surveillance at [redacted]

Deputy Rodriguez said his team was briefed the suspect used a 9MM handgun in the murder and the suspect could still be armed. He said team members observed the suspect enter the white four door vehicle and drive off from the Date Street location.

Deputy Rodriguez said team members followed the vehicle and confirmed the suspect was in the car. He said after it was confirmed the suspect was in the vehicle, he and Deputy [redacted] were tasked to conduct a traffic stop on the vehicle. He said they stopped the vehicle southbound on Citrus Avenue, south of Valley Boulevard. He said, "We pulled in behind the vehicle in a felony traffic position offset to the left and then one of the other surveillance vehicles pulled up next to us in the traditional felony T-stop traffic stop positions."

Deputy Rodriguez said Deputy [redacted] stopped his vehicle next to his vehicle in a felony stop fashion. He said his vehicle was "in tight" on the suspect's vehicle, approximately one foot behind and Deputy [redacted] was to his left, approximately two feet behind the suspect's car. He said he could see the female (victim and the suspect's [redacted], [redacted]) was the driver and the suspect was the front passenger. He said he (Deputy Rodriguez) was standing in the "V" area between his door and the patrol car and Detective [redacted] was standing in the "V" area at the front passenger door.

Deputy Rodriguez said he knew there were other units responding to the traffic stop and other units behind him, but he did not know who they were. He said the victim's rear window was not tinted and he had a clear view into the interior of the car.

Deputy Rodriguez said the vehicle yielded and the female driver complied with Deputy [redacted] commands to put their hands up, but the suspect did not. He said the suspect was sitting slightly back in his seat and he did not have a clear view of him

Deputy Rodriguez said the suspect was not complying with their commands and he saw an object, he believed to be a handgun, in the suspect's right hand. He said, "So we continued but after my partner gave the commands, I also began yelling commands for him to put his hands up which he did not comply with. At that point I observed him look back in our direction and then he then began pushing the female driver out of the car. I noticed that the driver's door at that point came open slightly and then he in turn moved his right hand up near her head and at that point, I couldn't clearly see, but I believed that he had the weapon in his hand and he was pushing her by the head." He said the suspect was also pushing the female with his body.

Deputy Rodriguez, said "Well it looked like to me it was a handgun based on the fact of the way that he was holding his hand and closed grip fashion as you would hold the handgun. However, I couldn't clearly see the handgun itself but based on his actions I believed it to be a handgun."

Deputy Rodriguez said when he first saw the object in the suspect's hand, he thought about shooting the suspect at that time. He said he did not have a clear open shot at the suspect because he was to close to the female.

Deputy Rodriguez described the suspect pushing the victim out of the car with his body and holding, what he thought was a gun, to her head. He said, "He put, as I said with his right hand he pushes her head and then with his body he's also pushed her; it appeared he was attempting to push her out of the vehicle." He said he could not clearly see the suspect's hands.

Deputy Rodriguez said he heard the engine rev, but the car was not moving. He said the female was hanging halfway out of the vehicle and he saw the suspect put the car in gear. He said the vehicle started to move forward and he thought the female's life was in danger.

Deputy Rodriguez said the female was being dragged on the street as the car moved forward . He said, "At that point I believe that her life was in immediate danger so with my weapon already out at a felony traffic stop I fired one round to stop the suspect from continuing his movement and potentially killing her."

Deputy Rodriguez described the revving as "full throttle" and that alarmed him. He said if the suspect put the vehicle in drive at that point the victim would be severely harmed.

Deputy Rodriguez said the suspect drove off at a high rate of speed and he heard the female scream something like, "help, help." He said after he fired at the suspect, the female fell out of the vehicle.

Deputy Rodriguez said he fired his weapon from the door jamb "V" area at his patrol car. He said he held his weapon with both of his hands with his arms extended out over the door. He said his body/arms were in a "isosceles triangle formation" and he "point shot", picking up the front sight only. He said the suspect was approximately 25 feet in front of him. Deputy Rodriguez said approximately 30 seconds past from the time the vehicle stopped until he fired his one round at the suspect.

Deputy Rodriguez said he fired one round and he saw it hit the middle of the rear window. He said the female was not in his line of fire. He said his back drop was clear of any vehicles.

Deputy Rodriguez said the back drop was a clear street that ascended to an overpass above the 10 freeway.

Deputy Rodriguez said after he fired his round the suspect continued to drive off with the victim halfway out of the vehicle. He said, "After I shot my round and he drove away dragging her she finally fell from the car and I could see her tumble, fall, hit her head and tumble two or three times. Then the suspect proceeded southbound on Citrus over the overpass and then in the eastbound turn lane to the eastbound 10 freeway. And then he got on the 10 freeway. We followed at that point and initiated pursuit (code-3) and began broadcasting a pursuit of a possible 187 suspect."

Deputy Rodriguez said they were on SCC access radio frequency and Detective [redacted] broadcasted the pursuit. He said they followed the suspect south on Citrus Avenue to the eastbound 10 freeway. He said he could see the suspect took the next exit, Sierra Avenue, and headed northbound. He said they exited on Sierra Avenue and headed north. He said he could see heavy traffic at Valley Boulevard and they got stuck in traffic as they approached the intersection. He said they lost visual contact with the suspect as the suspect traveled north from Valley Boulevard.

Deputy Rodriguez said Deputy [redacted] was somewhat able to follow the suspect through the intersection. He said, "As we proceeded northbound we had lost sight so we were attempting to reacquire the suspect, find the suspect. We could hear on the radio that my partner [redacted] was still following the suspect and he was able to determine which way he went which turned out to be, he made a left hand turn on San Bernardino heading westbound. However, we didn't observe that."

IAB Note: Deputy [redacted] vehicle was equipped with red lights and siren.

Deputy Rodriguez said he heard on the radio the suspect returned to the area of [redacted] and they drove back to that location. He said he saw the suspect was in custody and that the suspect had crashed into a fire hydrant.

Deputy Rodriguez said a search of the shooting scene was conducted for his expended shell casing, but it was not found. He said he thought the shell may have fell inside his patrol car and as he exited his car, he discovered the casing had lodged in his tactical vest.

Deputy Rodriguez said a quick search of the victim's vehicle at the scene was conducted in an attempt to find the expended round, but it was not located.

Deputy Rodriguez said he only thought Fontana Police officers were involved in the pursuit, but he did know that Fontana Police were notified they were in the area regarding a murder suspect.

IAB Note: See Exhibit "A" for a supplemental report authored by Deputy Rodriguez. See Exhibit "C" for a CSI photograph of the shooting scene and a CD containing all of CSI photos. See Exhibit "E" for Deputy Rodriguez' weapon functionality report.

IAB Note: Refer to Deputy Rodriguez' IAB transcribed interview for further complete information.

SWORN WITNESS STATEMENTS

[redacted] Deputy

Deputy [redacted] was interviewed by IAB Sergeant David Bly on March 1, 2011 at approximately 1638 hours. The interview took place at [redacted] and was recorded for review. The following is a summary of that interview:

Deputy [redacted] said he was working Major Crimes Bureau Surveillance Team-1 as an uniformed unit with his partner, Deputy Angel Rodriguez. He said they were both in a marked black and white patrol unit and they were in uniform. He said he was the passenger and Deputy Rodriguez was the driver. He said unmarked undercover units were watching a location in Fontana regarding a murder suspect and they were away from the location in case they were going to conduct a traffic stop on the suspect.

Deputy [redacted] said his team was conducting a surveillance at [redacted] for a murder suspect, Tommy Salas. He said his team was briefed that the suspect may have committed a murder in Norwalk and he could still be armed with a 9MM handgun. He said the suspect was a parolee at large.

Deputy [redacted] said a team member observed the suspect enter the passenger side of a white Dodge vehicle and the vehicle left the target location. He said after team members confirmed the suspect was the passenger in the vehicle, he and Deputy Rodriguez followed the suspect eastbound on San Bernardino Road and then southbound on Citrus Avenue. He said they were behind the surveillance cars.

Deputy [redacted] said they were advised to conduct a felony traffic stop on the suspect, which they did on southbound Citrus Avenue south of Valley Boulevard. He said the vehicle stopped in the number two lane near the curb line and they stopped 7-10 feet behind the vehicle. He said there was an undercover vehicle to his right, but he does not know who that was. He said he and Deputy Rodriguez exited their vehicle and he yelled out commands to the suspect and female driver to raise their hands. He said the female complied with the commands, but the suspect did not.

Deputy [redacted] said the traffic behind them was blocked because of assisting team members stopping behind them. He said he had his handgun out and was pointing it at the vehicle.

Deputy [redacted] said the suspect did not raise his hands and he appeared to be slumped down, looking back at them. He said the suspect seemed to be gauging their position and tactics. He said the suspect did not comply with his continued commands to raise his hands.

Deputy [redacted] said he saw the suspect reach over and place his left hand on the female's head as he was pushing the female towards the driver's side door. He said the driver's side door opened and the suspect was pushing the female out of the vehicle. He said he did not see the suspect's right hand and he did not see any objects in the suspect's left hand. He said he was yelling at the suspect to stop, but he did not comply.

Deputy [redacted] said the suspect was pushing the female out, and at the same time, moving into the driver's seat. He said it appeared the female was half way out of the car. He said from his position, looking across the hood of his car at an angle toward the female and suspect (from right to left), the female appeared to be pinned in the door jamb area, half way out of the car as the suspect was still pushing her.

Deputy [redacted] said he heard the suspect's vehicle engine revving and thought they would go in pursuit of the suspect. He said he saw the vehicle move forward with the female still half way out of the vehicle. He said it appeared to him the female was being dragged. He said the vehicle accelerated and started to pull away when he heard one gun shot. He said he did not see who fired the round. However, the gun shot came from his left and when he looked over, he said he knew Deputy Rodriguez had fired his weapon.

Deputy [redacted] said it was a matter of seconds from the time the vehicle yielded until he heard the gun shot. He said the back drop was clear and he did not see any vehicles or pedestrians in the back ground.

Deputy [redacted] said the suspect continued to accelerate and the female fell to the ground and rolled. He said the suspect drove southbound on Citrus Avenue and he and Deputy Rodriguez pursued him. He said Detective [redacted] was in front of them as they pursued the suspect. He said they pursued the vehicle to the eastbound 10 freeway to the next exit, Sierra Avenue. He said they pursued the suspect north on Sierra Avenue to Valley Boulevard where there was heavy traffic. He said the suspect drove onto the right curb to clear the intersection and traffic. He said they lost sight of the vehicle because they got stuck in the heavy traffic. He said Detective [redacted] cleared the traffic and continued to travel north on Sierra Avenue.

Deputy [redacted] said they heard over the radio that the suspect was involved in a traffic collision at San Bernardino Road and Madrona Drive. He said he then heard over the radio the suspect was in custody.

Deputy [redacted] said the first time he saw Fontana police officers is when they returned to the original location on Date Street.

IAB Note: See Exhibit "A" for the first report authored by Deputy [redacted] for further information.

[redacted] Deputy

Deputy [redacted] was interviewed by IAB Sergeant Sonja Bracken on March 1, 2011 at approximately 1628 hours. The interview took place at [redacted] and was recorded for review. The following is a summary of that interview:

Deputy [redacted] said he was working Major Crimes Bureau Surveillance Team-1 as an undercover surveillance unit. He said Homicide Bureau request their assistance in locating and arresting a murder suspect. He said he saw, who he thought to be the suspect, leave the target location in a white Dodge Avenger. He said other undercover units followed the suspect and confirmed he was in the vehicle.

Deputy [redacted] said a felony traffic stop was conducted on the vehicle on Citrus Avenue south of Valley Boulevard. He said he was he was driving a unmarked 2009 Chevy Blazer and he responded to that location to assist. He said, "The vehicle pulled over to the west curb facing south just south of Valley Boulevard. I then positioned myself to the left of the radio car (in the number one lane) which is to the driver's side of the black and white in order to conduct a felony pull over. At this point a patrol deputy exited the vehicle from the black and white to give commands." He said he saw the passenger (suspect) start pushing the driver out of her seat as he was moving into the driver's seat.

Deputy [redacted] said Deputy [redacted] was the passenger deputy and giving commands. He said Deputy Rodriguez was the driver deputy.

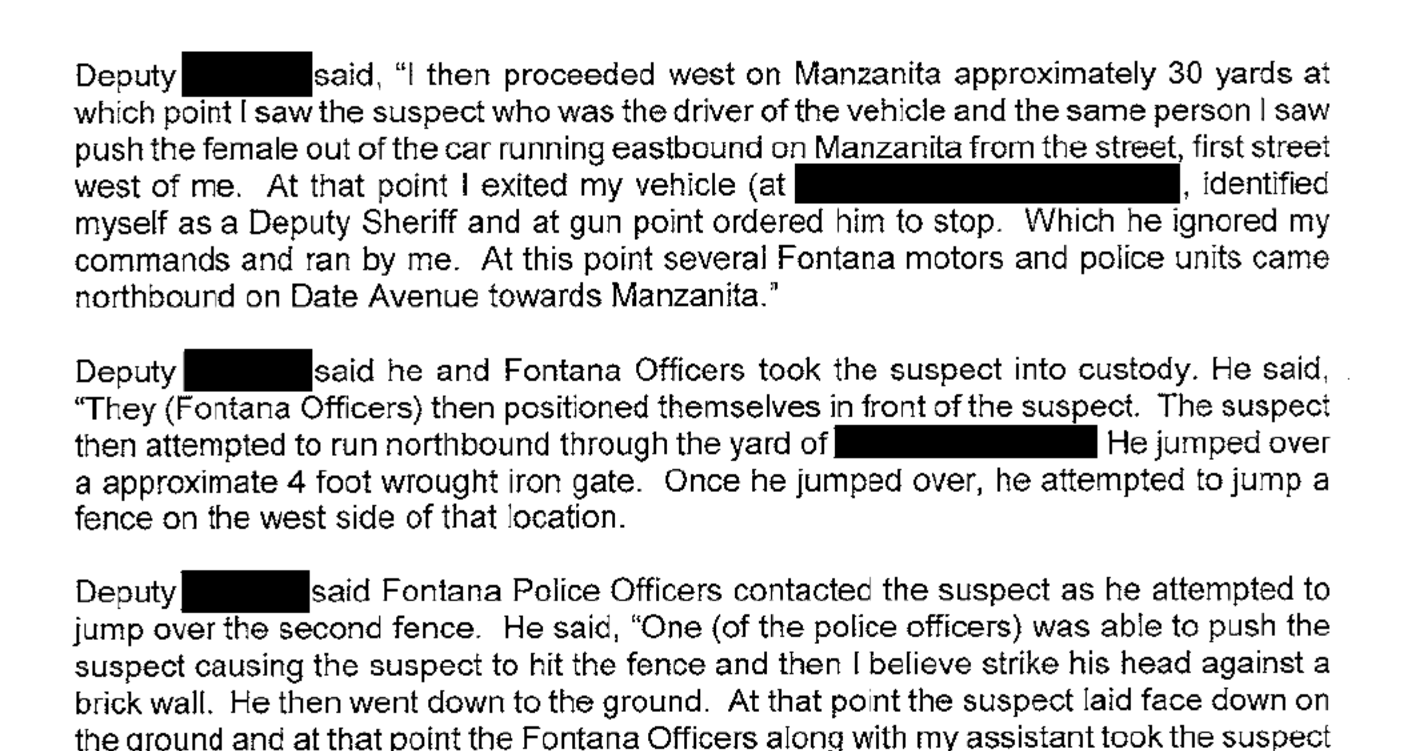
Deputy [redacted] said, "I could see that the driver's door opened at which time I see the female pushing against the suspect as she was getting pushed out of the car. The individual who was the front passenger was the only other occupant of the vehicle, was able to force his weight, push her almost exiting the vehicle as she was halfway out of the car. As she was halfway out of the vehicle and the seatbelt seemed to be still somehow attached to her body, he then put the car in drive and accelerated southbound on Citrus from Valley at a high rate of speed."

Deputy [redacted] said the female was dragged approximately 20-30 feet as the suspect drove off. He said as the vehicle was driving away he heard one gunshot and he saw the vehicle's rear window shatter. Deputy [redacted] said he did not know who fired the round, but later found out it was Deputy Rodriguez.

Deputy [redacted] said he started pursuing the suspect and the patrol unit was behind him. He said, "The vehicle continued southbound on Citrus to the overpass of the 10 freeway. I then at that point being the first car to the left, gave chase in my vehicle. At that point the deputies in the patrol had already put out what had occurred as far as the shooting and they were in pursuit of a 207 possible 187 suspect. The suspect vehicle then drove eastbound on the 10 freeway towards Sierra Avenue at a high rate of speed, maybe 80-90 mph. I was behind that vehicle approximately 75-100 yards behind that vehicle. As I was following the vehicle I see the vehicle exit Sierra Avenue go through the red light and then continue northbound on Sierra from the 10 freeway. As I came off the freeway and made a left which is northbound on Sierra Avenue I saw that the vehicle is approximately 75 yards ahead of me stuck in traffic along the east curb line approximately south of Valley. Two seconds later the lights turn green and he was able to proceed through the intersection at a high rate of speed."

Deputy [redacted] said by the time he reached the intersection he had lost sight of the suspect, but continued northbound of Sierra Avenue from Valley Boulevard. He said he saw citizens pointing north and he thought the Suspect may be returning to the Date Street location. He said, "I proceeded north on Sierra and when I approached San Bernardino Avenue realizing that Date was off of San Bernardino Avenue I turned west believing that the suspect was probably turning back to [redacted] As I went westbound on San Bernardino Avenue I could see the white Avenger approximately 700-800 yards ahead of me but I could see a vehicle driving at a high rate of speed along the north curb line and I could see dust flying up so I knew that was the vehicle. As I came west on San Bernardino still a good 800 yards behind I saw the vehicle make a right turn."

Deputy [redacted] said he thought the suspect turned right on Date Street. He said he (Deputy [redacted] turned right (north) on Date Street, but he did not see the suspect. He said he traveled to the end of Date Street where it meets Manzanita Avenue, where he turned left (west).



Deputy [redacted] said, "I then proceeded west on Manzanita approximately 30 yards at which point I saw the suspect who was the driver of the vehicle and the same person I saw push the female out of the car running eastbound on Manzanita from the street, first street west of me. At that point I exited my vehicle (at [redacted], identified myself as a Deputy Sheriff and at gun point ordered him to stop. Which he ignored my commands and ran by me. At this point several Fontana motors and police units came northbound on Date Avenue towards Manzanita."

Deputy [redacted] said he and Fontana Officers took the suspect into custody. He said, "They (Fontana Officers) then positioned themselves in front of the suspect. The suspect then attempted to run northbound through the yard of [redacted] He jumped over a approximate 4 foot wrought iron gate. Once he jumped over, he attempted to jump a fence on the west side of that location.

Deputy [redacted] said Fontana Police Officers contacted the suspect as he attempted to jump over the second fence. He said, "One (of the police officers) was able to push the suspect causing the suspect to hit the fence and then I believe strike his head against a brick wall. He then went down to the ground. At that point the suspect laid face down on the ground and at that point the Fontana Officers along with my assistant took the suspect into custody. We took the suspect into custody without further incident."

IAB Note: The above actions took place in the front yard of [redacted]

IAB Note: See Exhibit "A" pages 14 and 15 or a supplemental report authored by Deputy [redacted] for further information. Also see his transcribed interview for further information.

PONCE, Kim, Deputy

Deputy Ponce was interviewed by IAB Sergeants David Bly and Sonya Bracken on March 1, 2011 at approximately 1702 hours. The interview took place at 9916 Date Street, Fontana and was recorded for review. The following is a summary of that interview:

Deputy Ponce said she is assigned to Major Crimes Bureau Surveillance Team-1 as an undercover surveillance unit. She said Homicide Bureau requested their assistance in locating and arresting a murder suspect who was a parolee at large and possibly armed with a 9MM handgun.

Deputy Ponce said the suspect was identified as being a passenger in a white Dodge vehicle. She said,"We were able to at that time ascertain that it was our target inside the vehicle. The vehicle then stopped at a stale red at the corner of San Bernardino and Citrus for a south bound turn. The vehicle preceded southbound. I followed it."

Deputy Ponce said she followed the suspect southbound on Citrus Avenue. She said, "At that time the vehicle stopped at a stale red at Valley and Citrus and at that time we were calling in the radio car to come and do the traffic stop. I had backed off so that the vehicle that had our target inside, the black and white could get behind it. As soon as the light turned green at Valley and San Bernardino the black and white then preceded to get in behind the Dodge Avenger. It went ahead and initiated a traffic stop by putting on its lights and siren."

Deputy Ponce said, "Once the car yielded, I was just to the left of the radio car. [redacted] was the passenger of the radio car. He got out and he was yelling commands. Let me see your hands, let me see your hands. At that time Angel Rodriguez, he was the driver of the black and white. He had also got out. He was behind the driver's side door. He too was also giving verbal commands."

Deputy Ponce said, "At that time what I saw was that the driver of the Dodge Avenger which was [redacted] she had put her hands up. The passenger in the vehicle, he began to push her to put his, I believe it was his right hand, he put it on her head and he began to push her." She said she was positioned behind Deputy Rodriguez and his radio car and she saw the suspect pushing on the female.

Deputy Ponce said the driver's side door was opened and the suspect was pushing the female out of the vehicle. She said at that time it looked as though the female's right leg was somehow pinned in the car and she thought maybe the seatbelt was caught around her. Deputy Ponce said the female was hanging out of the car, with her head hanging down toward the street.

Deputy Ponce said she thought the female was tangled up on something. She said, "She was hooked a little bit inside of it but more or less her right foot was, when she was falling out or being pushed out I should say, you could really see that right leg being straight and it was being caught on something."

Deputy Ponce said she saw Deputy Rodriguez fire his weapon. She said, "Tommy Salas, continued to push her out and at that time you hear the car revving and you could tell that obviously the car is in park because the car wasn't going anywhere and at that time the car was put into drive. Again, her head was somewhat down almost to the asphalt and at that time the passenger, Tommy Salas, he began to, he put the car in drive and he began to slowly drive and at that time Angel Rodriguez fired one round at the rear window of the Dodge Avenger."

Deputy Ponce said, "And at that time you know I see him (Deputy Rodriguez), I hear it (the gunshot) and finally the car hit the, the passenger takes off in the vehicle and the victim or [redacted], she kind of gets drugged a little bit, or I don't know, it's a very short distance but she gets drugged and finally she breaks free and you kind of see her tumbling down the road and at that time Angel (Rodriguez) and [redacted] got back into the car and they went into pursuit of the vehicle. Lt. Wegener, he stayed behind with [redacted] and I also went behind the radio car as well.

Deputy Ponce said she saw the suspect enter the eastbound 10 freeway and saw the suspect exit on Sierra Avenue. She said that was basically the last time she saw the suspect until he was taken into custody. She said she exited Sierra Avenue and turned right (south) to look for the suspect. She said she made a U-turn and traveled north on Sierra Avenue at which time she saw the patrol car and she thought they also had lost contact with the suspect.

Deputy Ponce said she heard the suspect was under arrest on Date Street over the radio. She said she returned to the target location.

Deputy Ponce said from her position (behind Deputy Rodriguez) at the shooting scene, she saw the shooting backdrop was clear of any vehicles and pedestrians. She said it was a matter of 5-10 seconds from the time the vehicle yielded to when Deputy Rodriguez shot.

Deputy Ponce said at one point she was going to take a "head shot" at the suspect because the female was in danger. She said, "I was gonna try to take a head shot but because of my shot, because of where I was, I looked at Angel and I could see him firing and that's the only reason I didn't fire." She said she was thinking about the safety of the female and the fact she was being dragged down the street.

IAB Note: See Exhibit "A" pages 11-13 for a supplemental report authored by Deputy Ponce. Also see her transcribed interview for further information.

Deputy Ponce was additionally interviewed by IAB Sergeant David Bly on June 27, 2011, at approximately 1109 hours. The interview took place at Major Crimes Bureau and was recorded for review. The following is a summary of that interview:

IAB Note: Deputy Ponce was re-interviewed to clarify if she was involved in a vehicle pursuit after the shooting occurred.

Deputy Ponce said the undercover vehicle she had that day was a loaner car. She said that vehicle did not have lights or a siren. She said after the shooting occurred the suspect drove southbound with the black and white patrol unit in pursuit. She said she did not go in pursuit of the suspect.

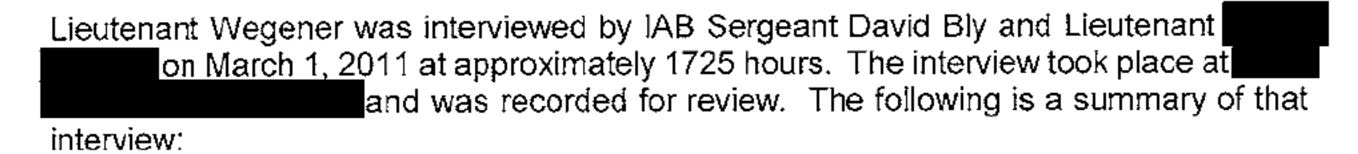
Deputy Ponce said there was a time delay from the time she entered her vehicle and to when the suspect drove away. She said by the time she started to move her vehicle, the suspect and the patrol car had already turned left onto the eastbound 10 freeway. She said that was the last time she saw actually the suspect's vehicle until she returned to Date Street.

Deputy Ponce said she drove southbound to the eastbound 10 freeway on ramp. She said when she traveled on the on ramp she could see a dust cloud coming off the right shoulder of the freeway. She said the dust cloud was approximately one quarter of a mile ahead of her and she assumed that was the suspect. She said the vehicle that caused the dust cloud exited the very next off ramp (Sierra Avenue). She said she continued to drive eastbound and then exited on Sierra Avenue.

Deputy Ponce said she was listening to the radio and checking the area for the suspect. She said she first drove south on Sierra Avenue and then turned around and drove northbound. She said she never saw the suspect's vehicle.

Deputy Ponce said she obeyed all traffic laws and she traveled east on the 10 freeway because that was the suspect's last known direction. She said she was checking the area in hopes the suspect might appear so she could transmit the suspect's location to her partners. She said if she did see the suspect's vehicle she would not have gone in pursuit, but only would have alerted her partners of the suspect's location.

WEGENER, Kent, Lieutenant



Lieutenant Wegener was interviewed by IAB Sergeant David Bly and Lieutenant [redacted] on March 1, 2011 at approximately 1725 hours. The interview took place at [redacted] and was recorded for review. The following is a summary of that interview:

Lieutenant Wegener said he was assigned as the supervisor for Major Crimes Bureau Surveillance Team-1. He said Homicide Bureau request their assistance in locating and arresting a murder suspect who was possibly armed with a handgun. He said the normal lieutenant for the team was not available for this operation and he was assigned to work with the team. He said they were conducting a surveillance on [redacted] in the city of [redacted] for the suspect.

Lieutenant Wegener said the suspect was identified as being the passenger in a white Dodge vehicle that was leaving the target location. He said a female was driving the vehicle. He said undercover units followed the vehicle and the marked patrol unit, with Deputies Rodriguez and [redacted] were request to conduct a traffic stop on the suspect. He said he did not know which deputy was driving the patrol car.

Lieutenant Wegener said a felony traffic stop was conducted on southbound Citrus Avenue, south of Valley Boulevard. He said the marked patrol unit stopped the suspect and the other undercover units assisted in the stop. He said he had his weapon drawn.

Lieutenant Wegener said he stopped his vehicle to the right and offset to the rear of the patrol car. He said he stopped on the driveway/sidewalk of a gas station located on the westside of Citrus Avenue.

Lieutenant Wegener said he heard Deputies [redacted] and Rodriguez telling the female and suspect to raise their hands. He said he saw the suspect attack the female driver. He said the suspect wrapped his left arm around the female's neck and he saw the driver side door open. He said he could tell the female and suspect were struggling with each other as the suspect was pushing the female out of the car as the suspect took over the driver seat.

Lieutenant Wegener said he heard the female screaming and he saw the vehicle lurching forward. He said he heard the sound of one gunshot that came from his left where the patrol car was and he saw the rear window of the vehicle shatter. He said at the same time, the vehicle was still moving forward gaining speed and he then saw the female tumbling on the street. He said as the suspect drove away he saw the female rolling in the street.

Lieutenant Wegener said he did not see the suspect holding any objects in his hands. He described the suspect as placing the female in a headlock with his left arm and leaning forward as they struggled. He said he could not see if the female was being prevented from exiting the vehicle, but he said it appeared the female was fighting back at the suspect.

Lieutenant Wegener said there was no southbound traffic during the incident and there were no vehicles or pedestrians in the back drop of the vehicle.

Lieutenant Wegener said the suspect fled southbound and the patrol car followed him. He said the other units then followed the patrol car. He said he remained with the female and checked her for injuries. He said the female stated she could not believe what the suspect had just done and she could have been killed.

Lieutenant Wegener said they all switched to the SCC access radio frequency and he heard units were in pursuit. He said he did not hear updates on the suspect's location that indicated to him units lost contact with the suspect. He said he then heard Deputy [redacted] broadcast the suspect was being detained back at the target location.

IAB Note: See Exhibit "D" for Major Crimes Bureau Pursuit Evaluation Form and memo authored by Lt. Wegener.

Lieutenant Wegener said during the traffic stop he thought about using deadly force. He said it was clear the female's life was in danger. However, he said he did not engage the suspect because he did not have a clear shot. He said, at his position and angle, the female and suspect were to close to each other to safely fire at the suspect. He said he also considered his ability to make the shot as a factor in not shooting the suspect.

FORCIER, Kevin, Deputy

Deputy Forcier is a member of Surveillance Team-1 and he wrote a supplemental report concerning this incident. The following is a summary of what Deputy Forcier saw and did concerning this incident.

Deputy Forcier stated his team was going to conduct a felony traffic stop on a murder suspect who was a passenger in a white Dodge vehicle. He stated he and other undercover units were following the suspect and Deputies Rodriguez and [redacted] (in a marked patrol unit) were going to stop and arrest the suspect. He stated the suspect vehicle yielded on southbound Citrus Avenue and he stopped his vehicle approximately 100 feet behind the traffic stop. He said he stopped at the apron of "G and G" gas station (the gas station is located on the southwest corner of Citrus Avenue and Valley Boulevard).

Deputy Forcier stated as he was exiting his vehicle he heard Deputy [redacted] yelling "get your hands up." He also heard Detective [redacted] yell "207, 215" indicating the crimes of kidnaping and car jacking. He stated he simultaneously heard one gun shot. He then saw the suspect vehicle drive away. He did not see who fired the gunshot.

Deputy Forcier stated that he, the patrol unit, and the other undercover units followed the suspect southbound onto the eastbound 10 freeway. He stated as he entered the eastbound 10 freeway he could not see the suspect vehicle.

Deputy Forcier stated he heard over the radio the suspect was northbound on Sierra Avenue. He stated he traveled north on Sierra Avenue, but did not see the suspect and then heard the suspect was in custody.

Deputy Forcier stated he returned to the shooting scene where he contacted Lieutenant Wegener and Ms. [redacted] He stated Lieutenant Wegener left the location and he remained with Ms. [redacted] He offered Ms. [redacted] medical treatment, which she declined. Ms. [redacted] was transported to the Date Street location by a Fontana police detective.

Deputy Forcier interviewed two witnesses at the shooting scene. See witness statements for further information.

IAB Note: See Exhibit "A" pages 18-21 for a supplemental report authored by Deputy Forcier.

Deputy Forcier was interviewed by IAB Sergeant David Bly on July 18, 2011, at approximately 0918 hours. The interview took place at Major Crimes Bureau and was recorded for review. The following is a summary of that interview:

IAB Note: Deputy Forcier was interviewed to clarify if he was involved in a vehicle pursuit after the shooting occurred.

Deputy Forcier said was driving an undercover vehicle that was equipped with lights and a siren. He said he drove up to the traffic stop and parked his truck behind most of the other undercover vehicles.

Deputy Forcier said after the shooting occurred the suspect drove southbound with the black and white patrol unit following him. He said he did not go in pursuit of the suspect. He said he entered his vehicle and he saw the suspect and the patrol unit turning left onto the eastbound 10 freeway. He said he drove southbound on Citrus Avenue and then onto the eastbound 10 freeway. He said he did not have his lights or siren on and he drove onto the freeway to hopefully be in the area if the suspect stopped or went to ground. He said he wanted to be in the area in case he was needed for a containment position.

Deputy Forcier said as he entered the eastbound 10 freeway on ramp he did not see the suspect's vehicle. He said he continued eastbound on the freeway when he heard the suspect exited on Sierra Avenue. He said he exited the freeway on Sierra Avenue and he did not see anyone (his partners or the suspect). He said he then heard over the radio that the suspect was in custody.

Deputy Forcier said he obeyed all traffic laws and he never activated his red light or siren.

NUQUES, Carlos, Deputy

Deputy Nuques is a member of Surveillance Team-1 and wrote a supplemental report concerning this incident. The following is a summary of what Deputy Nuques saw and did concerning this incident.

Deputy Nuques stated his team was going to conduct a felony traffic stop on a murder suspect who was a passenger in a white Dodge vehicle. He stated he and other undercover units were following the suspect and Deputies Rodriguez and [redacted] (in a marked patrol unit) were going to stop and arrest the suspect.

Deputy Nuques stated the felony traffic stop was conducted on southbound Citrus Avenue south of Valley Boulevard. He stopped his vehicle approximately 150 feet behind the traffic stop. He said he stopped behind Deputy Forcier's truck (Deputy Forcier was stopped at the apron of "G and G" gas station located on the southwest corner of Citrus Avenue and Valley Boulevard).

Deputy Nuques stated as he exited his vehicle he heard "get your hands up" several times, simultaneously, he heard one gun shot. He did not see who fired the gunshot.

Deputy Nuques stated that he, the patrol unit, and the other undercover units followed the suspect southbound onto the eastbound 10 freeway. He stated he exited the freeway on Sierra Avenue where he did not see the suspect. He stated he continued to travel north on Sierra Avenue when he heard Detective [redacted] say the suspect was in custody over the radio.

Deputy Nuques was interviewed by IAB Sergeant David Bly on June 27, 2011, at approximately 1125 hours. The interview took place at Major Crimes Bureau and was recorded for review. The following is a summary of that interview:

IAB Note: Deputy Nuques was interviewed to clarify if he was involved in a vehicle pursuit after the shooting occurred.

Deputy Nuques said was driving an undercover vehicle that was equipped with lights and a siren. He said he was the last person to pull up at the traffic stop and was parked behind all the other undercover vehicles.

Deputy Nuques said after the shooting occurred the suspect drove southbound with the black and white patrol unit in pursuit. He said he did not go in pursuit of the suspect. He said as he entered his vehicle and started to move, he saw the suspect and the patrol unit turning left onto the eastbound 10 freeway. He said he drove southbound on Citrus Avenue and then onto the eastbound 10 freeway. He said he did not have his lights or siren on and he drove onto the freeway to hopefully be in the area if the suspect stopped or "went to ground." He said he wanted to be in the area in case the suspect ended up in a collision or if he was needed for a containment position.

Deputy Nuques said as he entered the eastbound 10 freeway on ramp he did not see the suspect's vehicle. He said he continued eastbound on the freeway when he saw Deputy Ponce's vehicle exit the very next off ramp (Sierra Avenue). He said he exited the freeway on Sierra Avenue. He said he turned northbound on Sierra Avenue and he did not see "anyone" (his partners or the suspect). He said he then heard over the radio that the suspect was in custody.

Deputy Nuques said he obeyed all traffic laws and he did not cut in and out of traffic.

[redacted] Fontana Police Officer

Officer [redacted] wrote a Fontana Police report (11-3703) to document what he saw and did during this incident. He stated he was dispatched to assist LASD units who were in pursuit of a vehicle. Officer [redacted] did not observer the deputy involved shooting, however he did take the suspect into custody at [redacted]

Officer [redacted] stated while en route to the area of Citrus Avenue and the 10 freeway he observed Detective [redacted] northbound on Sierra Avenue. He followed Detective [redacted] to westbound San Bernardino Road then northbound on Date Street.

Officer [redacted] stated while at the corner of Date Street and Manzanita Avenue he saw the suspect running and subsequently, he and Fontana Officer [redacted] took the suspect into custody in the front yard of [redacted]

Officer [redacted] documented he used force to take the suspect into custody.

IAB Note: See Exhibit "B" pages 1-3 for Officer [redacted] report detailing of his actions with the suspect.

[redacted], Fontana Police Officer

Officer [redacted] wrote a Fontana Police report (11-3703) to document what he saw and did during this incident. He stated he was dispatched to assist LASD units who were in pursuit of a vehicle. Officer [redacted] did not observer the deputy involved shooting, however he did take the suspect into custody at [redacted]

Officer [redacted] stated while en route to the area of Citrus Avenue and the 10 freeway he observed Officer [redacted] and Detective [redacted] northbound on Sierra Avenue. He followed Officer [redacted] to westbound San Bernardino Road then northbound on Date Street.

Officer [redacted] stated while at the corner of Date Street and Manzanita Avenue he saw the suspect running and subsequently, he and Fontana Officer [redacted], took the suspect into custody in the front yard of [redacted].

Officer [redacted] documented he used force to take the suspect into custody.

IAB Note: See Exhibit "B" pages 4 and 5 for Officer [redacted] report detailing of his actions with the suspect.

CIVILIAN STATEMENTS

[redacted]

Ms. [redacted] was interviewed on March 1, 2011 at 1615 hours by IAB Sergeants David Bly and Sonja Bracken. The interview took place at [redacted], [redacted] and was recorded for review. The following is a summary of that interview:

Ms. [redacted] said she was driving her car toward the freeway. She said her [redacted], Tommy Salas, was the front passenger. She said she was stopped by the police and she stopped he car. She said, "They pulled us over. I mean they put the sirens out, they got their guns out and I pulled over like, you know, and I seen the guns and right away I lifted at my hands. It happened so fast. I don't remember, I just remember seeing the guns and yelling and I just remember my hands up and he just jumped over and on my chair and I fell out and kept rolling."

Ms. [redacted] said the suspect was telling her "go, go, go," and she did not want to drive away. She said the suspect was shoving her toward her door and she opened it. She said she was saying "no" and she heard the deputies yelling, but does not know what they were saying.

Ms. [redacted] said the car was in park and she had her foot on top of the gas peddle. She said the suspect was pushing on her foot that was on the gas peddle causing the engine to rev. She said the suspect was pushing on her as he tried to occupy her seat. She said her foot was stuck and the seatbelt was holding her in the seat.

Ms. [redacted] said she, subsequently rolled out of the car onto the street and the suspect drove away. She said the deputies followed the suspect and a deputy in a yellow SUV handcuffed her.

Ms. [redacted] said she heard one gun shot. She said she was trying to get loose from the seatbelt and move her foot off the gas peddle, when the suspect started to move the car forward. She said, "Once the Deputy saw him pull out I think that's when they shot it."

Ms. [redacted] said, "I just remember I see sirens, I mean I see them stop then I stop and then I just stop and then I hear Tommy say go, go, go, go. And then, I put it in park and that's when he hopped over and then my foot got stuck on the peddle and I couldn't get out of my seatbelt and then once I knew that we were in park I made sure that I got and wasn't able to, I didn't want to be stuck. So that's when his foot was on my foot and lets go. And then I just rolled out and then I heard the gunshot go off."

Ms. [redacted] said, "I wasn't screaming I just couldn't believe it. It was so fast. I just didn't want to get dragged with the car. I said no, no, please. I don't remember what I said but I just remember I wanted to make sure I didn't get dragged."

Ms. [redacted] said she was still tangled up with the seatbelt in the car and was hanging half way out when she heard the gunshot. She said, "Yeah I would say that's when I heard the shot."

Ms. [redacted] said she received scrapes on her knuckles and elbow.

IAB Note: See Exhibit "G" pages 5 and 6 for pictures of Ms. [redacted] injuries.

IAB Note: See Exhibit "A" page 12 for a supplemental report authored by Deputy Ponce documenting Ms. [redacted] statements in the field. Her field statements are consistent with her IAB interview. See Ms. [redacted] transcribed interview for further and complete information.

[redacted]

Mr. [redacted] was interviewed by Deputy Forcier on March 1, 2011. He was also interviewed on May 25, 2011 by IAB Sergeant David Bly. The following is a summary of his statements:

Mr. [redacted] is employed at "[redacted]" located at [redacted]. He was at work when the deputy involved shooting occurred. [redacted] is located directly [redacted] and [redacted] the street from the shooting scene. He said the suspect's vehicle was located across the street and slightly south from him. He said the vehicle was approximately 70 feet south of G and G gas station which is located on the southwest corner of the Citrus Avenue and Valley Boulevard.

Mr. [redacted] said as he walked out to the street from behind a block wall, he saw that the police had stopped a white vehicle on Citrus Avenue. He said he saw a female hanging half way out of the driver side door. He said he saw the vehicle start to drive away and the female being dragged. He said he saw and heard an Officer fire at the vehicle once and he then saw the white vehicle drive away southbound. He said he saw the female on the ground and the deputies follow the suspect.

IAB Note: See Exhibit "A" page 20 for Mr. [redacted] documented statements.

[redacted]

Ms. [redacted] was interviewed by Deputy Forcier on March 1, 2011. The following is a summary of her statements:

Ms. [redacted] stated she had exited the 10 freeway and saw the police was doing something on the side of the street. She stated she stopped and watched what was happening.

Ms. [redacted] stated she saw a female trying to get out of a white car and she saw a police officer fire one round at the white car. She then saw the white vehicle drive away.

IAB Note: On May 23, 2011 IAB Sergeant David Bly attempted to contact Ms. [redacted] and discovered her telephone number was not in service. Sergeant David Bly drove to her listed address of [redacted] and discovered that address does not exist. A check of an apartment complex located at [redacted] discovered a [redacted] does not reside there. There are no DMV records of a [redacted] with a DOB of [redacted] See Exhibit "A" page 21 for Ms. [redacted] documented statements.

SUSPECTS STATEMENTS

Salas, Tommy

No statements provided.

IAB Note: Suspect Salas, at first, started to talk with Homicide investigators and then became hostel and refused to talk any further. The suspect did not invoke his Miranda rights and the homicide investigation is on going. IAB investigators did not contact the suspect out of concern the suspect could invoke is rights before homicide detectives could re-contact him.